

BEFORE THE
POSTAL REGULATORY COMMISSION
WASHINGTON, DC 20268-0001

Retail Access Optimization Initiative

Docket No. N2011-1

PUBLIC REPRESENTATIVE
MOTION TO EXTEND DEADLINE FOR FILING REBUTTAL TESTIMONY
(September 9, 2011)

Pursuant to rule 21 of the Commission's rules of practice, the Public Representative seeks an extension of the deadline for filing rebuttal testimony on the basis that a portion of the Postal Service's direct case is still forthcoming.

In the Order establishing procedures in this proceeding, the Commission established September 16, 2011, as the deadline for the filing rebuttal testimony.¹ That deadline is 7 days following the Hearing on the Postal Service's direct case, and 17 days following the August 30, 2011 deadline for the filing of discovery on the Postal Service's direct case. *Id.*

On September 8, 2011, a hearing was conducted in which the majority of the Postal Service's direct case was heard. At the hearing, the Public Representative stated on the record that she had several questions based on the Postal Service's non-public library references, and soon thereafter informed the Commission of the existence of a verbal agreement with the Postal Service to have the Postal Service witness, James J. Boldt, answer the questions in a non-public manner. The answers would then be incorporated in the hearing record, under seal. *Id.*

¹ Order 778, July 28, 2011.

Furthermore, the Public Representative will file a series of interrogatories that request clarification for information that the Postal Service witness was unable to provide at the Hearing, September 8, 2011, including important information such as how operating revenue and operating cost is calculated for post offices.

The Public Representative requests the Commission extend the deadline for rebuttal testimony a week after the receipt of Mr. Boldt's written testimonial responses. Adjusting the deadline will afford the Public Representative and all other intervening parties a robust and accurate record before being required to file testimony.²

WHEREFORE, the Public Representative requests the extension of the deadline to file rebuttal testimony.

Respectfully Submitted,

/s/ Tracy N. Ferguson
Tracy N. Ferguson
Public Representative for
Docket No. N2011-1

901 New York Avenue, N.W.
Washington, DC 20268-0001
(202) 789-6844; Fax (202) 789-6891
e-mail: Tracy.Ferguson@prc.gov

² There have been significant delays and difficulties receiving data-based information from the Postal Service in this case. Currently, the Public Representative's pending Motion to Compel seeks to obtain information requested prior to the August 30, 2011, discovery deadline, September 6, 2011.